

REMARKS/ARGUMENTS

In response to the Office Action mailed January 14, 2004, Applicants amend their application and request reconsideration in view of the amendments and the following remarks. In this amendment, claims 2-4 and 7-18 are cancelled without prejudice, no claims have been added and claims 1, 5, 19, 20, 23 and 24 are amended so that claims 1, 5, 6 and 19-24 are currently pending. No new matter has been introduced.

Claims 8 and 24 were rejected under 35 U.S.C. § 101. Claim 8 has been cancelled without prejudice and claim 24 has been amended. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 3, 7 and 8 were rejected under 35 U.S.C. § 112, second paragraph. Applicants have cancelled claims 3, 7 and 8 without prejudice; therefore, the rejection is now moot.

Claims 1-3, 5-9 and 19-24 were rejected as being anticipated by U.S. Patent Number 6,325,819 to Pavenik et al. (Pavenik). This rejection is respectfully traversed.

Anticipation exists only if all of the elements of the claimed invention are present in a system or method disclosed, expressly or inherently, in a single prior art reference. Therefore, if it can be shown that there is one difference between the claimed invention and what is disclosed in the single reference, there can be no anticipation.

Pavenik discloses an endovascular graft prosthesis for arrangement at an aneurysm positioned in the vicinity of a bifurcation in an arterial system having a main lumen and a first and a second branch lumen. The prosthesis comprises a prosthetic device and first and second branch limbs. The device comprises a tubular frame and two coverings. Each covering is provided with a first and second aperture for the graft limbs.

The present invention as claimed in amended claim 1 is directed to a bypass system that comprises a first prosthesis comprising a conduit formed from a stent and graft material,

a compressible gasket mounted in one end of the conduit and at least one second prosthesis. The second prosthesis is second within the first prosthesis by the compressible gasket. Pavenik fails to disclose or remotely suggest this combination. Accordingly, reconsideration and withdrawal of the system is respectfully requested.

A favorable action on the merits is earnestly solicited.

Respectfully submitted,



Carl J. Evens
Attorney for Applicant
Reg. No. 33,874

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
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732-524-2518